



Selecting an Attorney

Where to Look

Most farm business transfers require legal assistance. A good place to start is to find a qualified estate planning attorney who can assist you in this process. Look at biographies and web sites for law firms in your area of business law and estate planning. Try to determine if the firms you interview have the expertise to suit your needs, by asking questions and asking other individuals in similar situations who they used and about their experience. Contact PA Farm Link, the Pennsylvania Bar Association, or the Ag Law Center for attorneys who are knowledgeable about farm transfers.

Questions to ask when hiring an attorney

- What is your experience in this field?
- What percentage of your practice is in the area of expertise that I need?
- Have you handled matters like mine?
- What are the possible outcomes of my case?
- What are my alternatives in resolving the situation?
- What problems do you foresee in resolving the situation?
- What paperwork is involved and approximately how long will it take to resolve?
- What are your rates and how often will you bill me?
- Will you consider doing the work for a flat fee?
- What is a ballpark figure of my total bill, including fees and expenses?
- How will you keep me informed of progress?
- What kind of approach will you take, for example will you be aggressive or more inclined to reach a reasonable settlement?
- Do you have any conflict of interest that I should know about before I hire you?
- Who else in the office will work on my case?
- Can paralegals or junior attorneys handle some of the work at a lower rate?

Preparing for your first meeting

Come prepared and let the attorney do the talking initially, because the he/she will be able to hone in on the background or facts that are relevant or important. Treat your first meeting as a business consultation. Dress well and be prompt. The attorney will want to know who you are, how you can be contacted, and a little about your personal and business background. Give the attorney the chance to get to know you so that you can evaluate each other on an informal basis.

Writing down information about your business and your questions will help your attorney understand. Sometimes they may ask you to complete a questionnaire and to send copies of requested documents ahead of time.

Documents to bring to the first meeting:

- A business plan or summary of information about your business.
- A balance sheet, including assets and liabilities that are going to be contributed to or assumed by any business entity.
- A list of investors or directors in your business. Tax returns, financial statements or corporate records for your business.
- Any agreements, minutes of meetings, or notes relating to the organization of the business.
- Letters, memos, or other correspondence relating to the business
- A diagram or organizational chart of your business.

If the attorney wants to represent you, expect that he/she will go through an educational process. Be honest. Everything you tell him/her during your meeting is subject to the attorney-client privilege, so honesty is in your best interest. It's much better for the attorney to know the bad things up front rather than be surprised later.